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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,325	11/12/2003	Pierre Rizzo	859063.548	2006
38106	7590	05/08/2006	EXAMINER	
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 6300 SEATTLE, WA 98104-7092			DOAN, KIET M	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/712,325

Applicant(s)

RIZZO ET AL.

Examiner

Kiet Doan

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/12/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

**Claim 8** is objected to because of the following informalities: Due to the dawning and specification not clear to point out "a first circuit" and "a second circuit". Examiner believe in Fig.1, Illustrate No.1 (STA) as first circuit wherein contain L1, C1 and No.10 (CAR) as second circuit wherein contain L2, C2. Appropriate correction and clarify is required.

### *Claim Rejections - 35 USC § 112*

**Claims 8, 10-11** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Examiner electronic search that unable to find any drawing or statement to support of **claim 8**, said "a first circuit", "a second circuit", "a third circuit", "a fourth circuit". **Claim 10**, said "a fifth circuit coupled to the first circuit to transmit a fourth signal. **Claim 11**, said "the fifth circuit"

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

**Claims 1-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Luc Wuidart (Patent No. 6,473,028).

Consider claim 1. Luc teaches an electromagnetic transponder intended to draw power necessary to its operation from a field radiated by a terminal of transmission of a carrier at a first frequency (C1, L41-57 teach transponder use as power source to draw power as Fig.1, No.10) and to back-modulate a received signal at a rate of a sub-carrier at a second frequency lower than the first one, comprising means capable of demodulating and decoding signals modulated by said sub-carrier (C2, L45-54, Fig.1, Illustrate No. 1 as first circuit/frequency capable of demodulating No.7 and decoding No.8 signals modulated No.4 by said sub-carrier).

Consider **claim 2**. Luc teaches the transponder of claim 1, further comprising an oscillating circuit upstream of a rectifying means capable of providing a D.C. supply voltage to an electronic circuit (C4, L26-34, C5, L38-50 teach oscillating circuit capable of providing a D.C. supply voltage), the electronic circuit having means for transmitting digitally-coded information (C1, L55-57, C3, L40-44 teach transmitting digitally-coded information), and the transponder comprising a demodulator capable of differentiating information received at a rate of a back-modulation sub-carrier of another transponder with respect to information received, at a rate of a third still lower frequency, from the terminal (Fig.1, Illustrate No. 10 as transponder and describe).

Consider **claim 3**. Luc teaches the transponder of claim 2 wherein said

demodulator comprises two parallel branches, each having a filter respectively centered on the second and third frequencies, each filter being associated with a digital decoder (Fig.1, Illustrate No. 10 as transponder and describe).

Consider **claim 4**. Luc teaches the transponder of claim 3 wherein a first decoder associated with the filter centered on the back-modulation frequency is a decoder of phase shift type, a second decoder associated with the third frequency being a decoder of amplitude shift type (C1, L59-67, C9, L1-19, C12, L63-67).

Consider **claim 5**. Luc teaches a system of contactless and wireless communication between at least two electromagnetic transponders having no independent power supply, wherein each transponder comprises means capable of drawing power necessary to a supply of its circuits from an electromagnetic field at a first frequency radiated by at least one read/write terminal, and means for demodulating and decoding signals transmitted by another transponder in modulation of a sub-carrier at a second frequency (C1, L10-55, Fig.1 Illustrate and describe).

Consider **claim 6**. Luc teaches the system of claim 5 wherein each transponder comprises separate demodulators and decoders respectively dedicated to reception of signals transmitted by another transponder and to the reception of signals transmitted by the read/write terminal (C1, L60-67, C2, L1-65, Fig.1 Illustrate and describe).

Consider **claim 7**. Luc teaches the system of claim 5 wherein the first frequency is 13.56 MHz, the second frequency being 847.5 kHz, and the third frequency being 106.5 kHz. (C1, L33-40, C2, L45-55, C7, L57- 65, C8, L1-15, teach third frequency which read on range).

Consider **claim 8**. Luc teaches a transponder, comprising: a first circuit to receive a first signal having a first frequency and to provide power from the first signal; a second circuit coupled to the first circuit to receive a second signal having a second frequency; a third circuit coupled to the first circuit and coupled parallel to the second circuit to receive a third signal having a third frequency, the third signal being received from another transponder; and a fourth circuit coupled to the second and third circuits to respectively process the demodulated second and third signals (C1, L33-40, C2, L45-55, C7, L57- 65, C8, L1-15, teach third frequency which read on range, Fig.1 Illustrate and describe).

Consider **claim 9**. Luc teaches the transponder of claim 8 wherein the first circuit includes: a first capacitor and inductor connected in parallel; a rectifier circuit having input terminals coupled to the parallel connection of the capacitor and inductor; a second capacitor coupled to output terminals of the rectifier circuit; and a voltage regulator coupled to the second capacitor and to the rectifier circuit (C2, L15-30, C5, L3-13).

Consider **claim 10**. Luc teaches the transponder of claim 8, further comprising a fifth circuit coupled to the first circuit to transmit a fourth signal (Fig.1, Illustrate No.1 as first circuit).

Consider **claim 11**. Luc teaches the transponder of claim 10 wherein the fifth circuit includes a modulator having an output coupled to a transistor (Fig.5, Illustrate circuit which coupled to a transistor)

Consider **claim 12**. Luc teaches the transponder of claim 8, further comprising an analog unit coupled to the second and third circuits to respectively provide the second and third signals to be demodulated by either the second or third circuits, wherein the second circuit includes a decoder to detect the second frequency of and to demodulate the second signal provided by the analog unit, and wherein the third circuit includes a decoder to detect the third frequency of and to demodulate the third signal provided by the analog unit (C1, L33-40, C2, L45-55, C7, L57- 65, C8, L1-15, teach third frequency which read on range, Fig.1 Illustrate and describe).

Consider **claim 13**. Luc teaches the transponder of claim 8 wherein the second circuit includes: a first filter centered at the second frequency to filter the second signal; and a first decoder coupled to the first filter to demodulate the filtered second signal, and wherein the third circuit includes: a second filter centered at the third frequency to filter the third signal; and a second decoder coupled to the second filter to demodulate

the filtered third signal (C2, L45-67, C3, L1-52, Fig.1, contain band-pass filter center as filter signal for the circuit).

Consider **claim 14**. Luc teaches the transponder of claim 13 wherein the first decoder comprises a phase shift-type decoder, and wherein the second decoder comprises an amplitude shift-type decoder (C1, L45-50, C2, L58-67).

Consider **claim 15**. Luc teaches the transponder of claim 8 wherein the first frequency is higher than the second frequency, and wherein the second frequency is higher than the third frequency (C2, L45-67, C3, L1-51).

Consider **claim 16**. Luc teaches a method for a transponder, the method comprising: receiving a first signal having a first frequency and providing power from the first signal; receiving a second signal having a second frequency and demodulating the received second signal; receiving a third signal having a third frequency from another transponder and distinguishing the received third signal from the second signal and demodulating the received third signal; and processing the demodulated second or third signals (C2, L45-60, C3, L11-50 teach the receiving a first signal from fig. 1, No.1 and second signal No.10 where circuit contain demodulated).

Consider **claim 17**. Luc teaches the method of claim 16 wherein distinguishing the received third signal from the second signal includes detecting whether a received



signal is the third signal or the second signal based on the frequency of the received signal by using parallel decoders, one of which decodes based on the second frequency and the other one of which decodes based on the third frequency (C3, L12-50, C6, L35-36-40, C7, L57-67, C8, L1-16 and Fig.4. Illustrate form from parallel circuit).

Consider **claim 18**. Luc teaches the method of claim 16 wherein distinguishing the received third signal from the second signal includes detecting, filtering a received signal to determine whether it is the third signal or the second signal based on the frequency of the received signal and using frequency bands centered on the second and third frequencies, the method further comprising decoding the filtered signal (C2, L45-67, C3, L1-52, Fig.1, contain band-pass filter center as filter signal for the circuit).

Consider **claim 19**. Luc teaches a system for a transponder, the system comprising: a means for receiving a first signal having a first frequency and providing power from the first signal; a means for receiving a second signal having a second frequency and demodulating the received second signal; a means for receiving a third signal having a third frequency from another transponder and distinguishing the received third signal from the second signal and demodulating the received third signal; and a means for processing the demodulated second or third signals (Abstract, C2, L10-60, C3, L11-50 teach the receiving a first signal as in Fig. 1, No.1 and second signal No.10 where circuit contain demodulated).

Consider **claim 20**. Luc teaches the system of claim 19 wherein the means for demodulating the second and third signals include a means in parallel for decoding the second and third signals separately (C6, L35-36-40, C7, L57-67, C8, L1-16, Fig.1 Illustrate circuit contain demodulate and Fig.4. Illustrate form from parallel circuit).

### ***Conclusion***

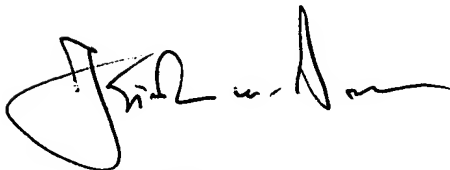
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. MacLellan et al. (Patent No. 6,456,668) teach limitation of claim 1-20 (Abstract, Fig.1, C3-C5).
2. Schuermann (Patent No. 5,347,280) teach limitation of claim 1-20 (Abstract, C2-C5).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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